

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Bhamare et al.

Application No.: 10/568,325

Confirmation No.: 2977

Filed: February 16, 2006

For: EXTENDED RELEASE FORMULATION
OF BETA-LACTAM ANTIBIOTICS

Group: 1615

Examiner: Not Yet Known

Our File: SMC-PT004

Date: December 7, 2007

THIRD PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The previous October 31, 2007 preliminary amendment was done only in anticipation of the 37 CFR Part 1, Changes To Practice for Continued Examination Filings, Patent Applications Containing Patentably Indistinct Claims, and Examination of Claims in Patent Applications; Final Rule ("New Rules"). Since implementation of the New Rules is enjoined, this third preliminary amendment returns the claims to the state they were in prior to the October 31, 2007 preliminary amendment. Minor typographic issues are also addressed. No amendment in the October 31, 2007 preliminary amendment or this third

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preliminary amendment relates to patentability. Prior to examination, please amend the application as follows: